

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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MARY PHILLIPA SLEDGE, MARY  
JANE PIDGEON SLEDGE TRUST, and  
PIDGEON SLEDGE FAMILY LIMITED  
PARTNERSHIP,

Plaintiffs,

v.

Case No. 2:13-cv-2578-STA-cgc

INDICO SYSTEM RESOURCES, INC. and  
CLEAL WATTS, III,

Defendants.

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**PLAINTIFFS' MOTION TO COMPEL DEFENDANT WATTS  
TO PROVIDE CONSENT TO RACKSPACE US, INC.**

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COME NOW, Mary Phillipa Sledge, Mary Jane Pidgeon Sledge Trust, and Pidgeon Sledge Family Limited Partnership ("Plaintiffs") and move this Court to compel Defendant Cleal Watts III to fully and properly respond to Plaintiffs' Second Request for Production of Documents served upon Defendants' counsel on April 8, 2015. This request is primarily comprised of a "consent" to non-party Rackspace US, Inc. to provide copies of critically important emails between the parties and between Defendants and other witnesses. Rackspace has refused to respond to a subpoena seeking same absent consent from Defendant Watts. Plaintiffs therefore seek an Order from this Court requiring Defendants' compliance within fifteen (15) days. Plaintiffs further request the Court Order that Defendants shall be subject to sanctions pursuant to Fed. R. Civ. P. Rule 37 for failure to comply. Plaintiffs have attached an accompanying memorandum of law in support of this motion.

Respectfully Submitted,

/s/ Darrell N. Phillips  
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**Attorneys for Plaintiffs**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 15th day of May 2015, a copy of the foregoing electronically filed document was served on the parties listed below via first class mail, postage prepaid, unless said party is a registered CM/ECF participant who has consented to electronic notice, and the Notice of Electronic Filing indicates that Notice was electronically mailed to said party.

Bruce A. McMullen  
165 Madison Ave., Suite 2000  
Memphis, Tennessee 38103

/s/ Darrell N. Phillips

**CERTIFICATE OF CONSULTATION**

Pursuant to Local Rule 7.2, counsel for Plaintiffs hereby certifies that he consulted with Bruce McMullen on May 15, 2015 who advised that, at this time, he is not in a position to consent to Plaintiffs' motion.

/s/ Darrell N. Phillips  
Darrell N. Phillips